

09/600432

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MCCARTHY et al.

Patent No.: 6,849,712 B1

Issued: February 1, 2005

Docket No.: 110.0113 0101

Title: PEPTIDES WITH  $\beta$ 1 INTEGRIN SUBUNIT DEPENDENT CELL ADHESION  
MODULATING ACTIVITY

## Certificate of Correction Branch

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Certificate  
JUN 14 2005  
of Correction

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ An itemized return postcard.☐ A Petition for Extension of Time for \_\_\_ month(s) and a check in the amount of \$\_\_\_ for the required fee.☐ An Information Disclosure Statement (\_\_\_ pgs); copies of \_\_\_ applications; 1449 forms (\_\_\_ pgs); and copies of \_\_\_ documents cited on the 1449 forms.☐ A request for continued examination (RCE) and a check in the amount of \$, for the required filing fee.☐ An Appeal Brief and a check in the amount of \$, for the required Appeal Brief filing fee.☐ A check in the amount of \$\_\_\_, for \_\_\_.☐ A certified copy of a \_\_\_ application, Serial No. \_\_, filed \_\_\_\_, the right of priority of which is claimed under 35 U.S.C. §119.☒ Other: Request for Certificate of Correction (1 pg); Certificate of Correction (3 pgs. in duplicate);  
Exhibit A (5 pgs); Exhibit B (1 pg)☐ Amendment \_\_\_ No Additional fee is required. \_\_\_ The fee has been calculated as shown:

| Fee Calculation for Claims Pending After Amendment                            |  |                                |   |                                 |                             |
|---|--|--------------------------------|---|---------------------------------|-----------------------------|
|   | Pending Claims<br>after<br>Amendment (1) | Claims Paid for<br>Earlier (2) | Number of<br>Additional<br>Claims (1-2) | Cost per<br>Additional<br>Claim | Additional Fees<br>Required |
| Total Claims  |  |                                |   | x \$50 =                        |                             |
| Independent<br>Claims   |  |                                |   | x \$200 =                       |                             |
| One or More New Multiple Dependent Claims Presented? If Yes, Add \$360 Here → |  |                                |   |                                 |                             |
| Total Additional Claim Fees Required  |  |                                |   |                                 |                             |

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: **Certificate of Correction Branch**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of June, 2005.

MUETING, RAASCH &amp; GEBHARDT, P.A.

Customer Number: 26813

By:

Ann M. Mueeting

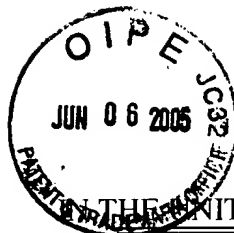
Reg. No.: 33,977

Direct Dial: 612-305-1217

Facsimile: 612-305-1228

(LARGE ENTITY TRANSMITTAL UNDER RULE 1.8)

JUN 15 2005



PATENT

Docket No. 110.01130101

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MCCARTHY et al.

Patent No.: 6,849,712 B1

Issued: February 1, 2005

For: PEPTIDES WITH  $\beta$ 1 INTEGRIN SUBUNIT DEPENDENT CELL ADHESION  
MODULATING ACTIVITYREQUEST FOR CERTIFICATE OF CORRECTION

Certificate of Correction Branch

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

A Certificate of Correction is requested to be issued correcting printing errors appearing in the above-identified United States patent. Two copies of the text noting the corrections for the Certificate are enclosed. Since none of the errors listed are due to Applicants' mistake, no fee is necessary for the Certificate. The corrections in the proposed Certificate of Correction do not involve such changes in the patent as would constitute new matter or would require reexamination.

Applicants wish to bring to the Examiner's attention, that the documents listed on the Certificate of Correction were documents cited by the Examiner on 892 forms and/or approved by the Examiner on 1449 forms. Copies of the identifying 892 and 1449 forms are enclosed as **Exhibit A** (5 sheets mailed with Office Action, dated 10/27/03) and **Exhibit B** (1 page mailed with office action dated 02/18/04), for the Examiner's convenience.

Please mail the printed Certificate of Correction to the undersigned attorney.

## CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of June, 2005.

Name:

Sandy Truehart

Date

June 2, 2005

AMM/SJT

Respectfully submitted for  
MCCARTHY et al.

By

Muetting, Raasch &amp; Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612)305-1220

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Customer Number 26813

By:

Ann M. Muetting  
Ann M. Muetting

Reg. No. 33,977

Direct Dial (612)305-1217

JUN 15 2005

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,849,712 B1  
DATED: February 1, 2005  
INVENTOR(S): McCarthy et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**Cover Page**

(56) References Cited

**U.S. PATENT DOCUMENTS**

Insert --

|           |   |         |                       |           |
|-----------|---|---------|-----------------------|-----------|
| 4,839,464 | * | 6/1989  | McCarthy et al. ....  | 530/326   |
| 4,923,963 | * | 5/1990  | Stewart et al. ....   | 530/314   |
| 4,938,949 | * | 7/1990  | Borch et al. ....     | 514/476   |
| 5,019,646 | * | 5/1991  | Furcht et al. ....    | 530/326   |
| 5,147,797 | * | 9/1992  | McCarthy et al. ....  | 435/398   |
| 5,171,271 | * | 12/1992 | Furcht et al. ....    | 623/23.76 |
| 5,278,063 | * | 1/1994  | Hubbell et al. ....   | 435/402   |
| 5,294,551 | * | 3/1994  | Furcht et al. ....    | 435/402   |
| 5,330,911 | * | 7/1994  | Hubbell et al. ....   | 435/402   |
| 5,380,668 | * | 1/1995  | Herron, James N. ...  | 436/510   |
| 5,545,620 | * | 8/1996  | Wahl et al. ....      | 514/12    |
| 5,591,719 | * | 1/1997  | Furcht et al. ....    | 514/13    |
| 5,595,887 | * | 1/1997  | Coolidge et al. ....  | 435/69.7  |
| 5,710,123 | * | 1/1998  | Heavner et al. ....   | 514/2     |
| 5,744,515 | * | 4/1998  | Clapper, David L. ... | 523/113   |
| 5,840,691 | * | 11/1998 | Furcht et al. ....    | 514/12    |
| 5,846,536 | * | 12/1998 | Bissell et al. ....   | 424/158.1 |
| 5,853,744 | * | 12/1998 | Mooradian et al. .... | 424/422   |
| 6,110,895 | * | 8/2000  | Rodgers et al. ....   | 514/15--  |

**FOREIGN PATENT DOCUMENTS**

Insert --

WO 97/23451 07/1997  
WO 97/34617 09/1997

MAILING ADDRESS OF SENDER:

PATENT NO. 6,849,712 B1

**MUETING, RAASCH & GEBHARDT, P.A.**  
**P.O. BOX 581415**  
**MINNEAPOLIS, MINNESOTA 55401**  
**Customer Number 26813**

Page 1 of 3

**JUN 15 2005**

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,849,712 B1  
DATED: February 1, 2005  
INVENTOR(S): McCarthy et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

WO 97/30070 08/1997  
WO 98/00395 01/1998  
WO 99/37669 07/1999  
WO 00/56350 09/2000--

**OTHER PUBLICATIONS**

Insert --

Carraway, R.E. Peptides (New York, NY, United States) 14(1), 37-45, 1993\*

Qi, Jie, Shengwu Huaxue Zazhi 13(5), 576-579, 1997\*

Chappell et al., "Inhibition of Leukocyte-Mediated Tissue Destruction by Synthetic Fibronectin Peptide (Trp-9-Tyr), "Journal of Burn Care and Rehabilitation, 20((6):505-510 (November, 1999); presented at 31<sup>st</sup> Annual Meeting, American Burn Association, March 24-27, Lake Buena Vista, FL., (March 25, 1999)

English Abstract of JP 6016568, 01/25/1994

English Abstract of Seki et al., (J. Jap. Soc. Food Sci. Technol., 43, 967, 1996)

Nwariaku et al., "Inhibition of Selectin- and Integrin-Mediated Inflammatory Response after Burn Injury" Journal of Surgical Research, 63(1):355-358 (1996)--

**FACE PAGE**

Page 3

Lasz et al. reference, delete "62<sub>3</sub>" and insert -- $\beta_3$ --

MAILING ADDRESS OF SENDER:

PATENT NO. 6,849,712 B1

**MUETING, RAASCH & GEBHARDT, P.A.**  
**P.O. BOX 581415**  
**MINNEAPOLIS, MINNESOTA 55401**  
**Customer Number 26813**

Page 2 of 3

**JUN 15 2005**

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,849,712 B1  
DATED: February 1, 2005  
INVENTOR(S): McCarthy et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 7, line 11

delete "peptidelcarrier" and insert --peptide/carrier--

Column 8

line 8, delete "Tl/well" and insert -- $\mu$ l/well--

line 9, delete "Tg/ml" and insert -- $\mu$ g/well--

line 12, delete " $\mu$ /well" and insert -- $\mu$ l/well--

Column 10

line 23, delete "NO:29" and insert --NO:28--

Column 27

line 12, in claim 1, delete "about"

Column 28

line 26, in claim 19, delete "about"

Column 28

line 32, in claim 20, delete " $\alpha$ 1" and insert -- $\beta$ 1--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,849,712 B1

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. BOX 581415  
MINNEAPOLIS, MINNESOTA 55401  
Customer Number 26813

Page 3 of 3

**JUN 15 2005**

## EXHIBIT A

1 of 5

Application/Control No.

09/600,432

Applicant(s)/Patent Under

Reexamination

MCCARTHY ET AL.

Examiner

David Lukton

Art Unit

1653

Page 1 of 2

## U.S. PATENT DOCUMENTS

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name             | Classification |
|---|---|--|-----------------|------------------|----------------|
| * | A | US-4,839,464                                     | 06-1989         | McCarthy et al.  | 530/326        |
| * | B | US-4,938,949                                     | 07-1990         | Borch et al.     | 514/476        |
| * | C | US-5,019,646                                     | 05-1991         | Furcht et al.    | 530/326        |
| * | D | US-5,147,797                                     | 09-1992         | McCarthy et al.  | 435/398        |
| * | E | US-5,171,271                                     | 12-1992         | Furcht et al.    | 623/23.76      |
| * | F | US-5,278,063                                     | 01-1994         | Hubbell et al.   | 435/402        |
| * | G | US-5,294,551                                     | 03-1994         | Furcht et al.    | 435/402        |
| * | H | US-5,330,911                                     | 07-1994         | Hubbell et al.   | 435/402        |
| * | I | US-5,380,668                                     | 01-1995         | Herron, James N. | 436/510        |
| * | J | US-5,545,620                                     | 08-1996         | Wahl et al.      | 514/12         |
| * | K | US-5,591,719                                     | 01-1997         | Furcht et al.    | 514/13         |
| * | L | US-5,595,887                                     | 01-1997         | Coolidge et al.  | 435/69.7       |
| * | M | US-5,710,123                                     | 01-1998         | Heavner et al.   | 514/2          |

## FOREIGN PATENT DOCUMENTS

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
|---|---|--|-----------------|---------|------|----------------|
|   | N |  |                 |         |      |                |
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|   | T |  |                 |         |      |                |

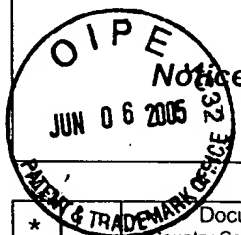
## NON-PATENT DOCUMENTS

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|---|
|   | U |   |
|   | V |   |
|   | W |   |
|   | X |   |

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

JUN 15 2005

JUN 15 2005



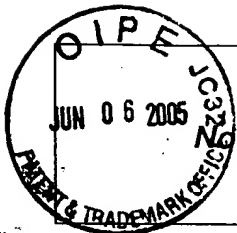


EXHIBIT A  
2 of 5

Notice of References Cited

Application/Control No.

09/600,432

Applicant(s)/Patent Under  
Reexamination  
MCCARTHY ET AL.

Examiner

David Lukton

Art Unit

1653

Page 1 of 1

U.S. PATENT DOCUMENTS

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name           | Classification |
|---|---|--|-----------------|----------------|----------------|
|   | A | US-6,110,895                                     | 08-2000         | Rodgers et al. | 514/15         |
|   | B | US-  |                 |                |                |
|   | C | US-  |                 |                |                |
|   | D | US-  |                 |                |                |
|   | E | US-  |                 |                |                |
|   | F | US-  |                 |                |                |
|   | G | US-  |                 |                |                |
|   | H | US-  |                 |                |                |
|   | I | US-  |                 |                |                |
|   | J | US-  |                 |                |                |
|   | K | US-  |                 |                |                |
|   | L | US-  |                 |                |                |
|   | M | US-  |                 |                |                |

FOREIGN PATENT DOCUMENTS

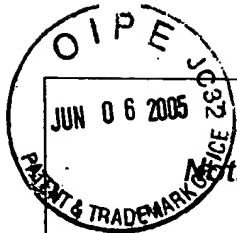
| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
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|   | R |  |                 |         |      |                |
|   | S |  |                 |         |      |                |
|   | T |  |                 |         |      |                |

NON-PATENT DOCUMENTS

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|---|
|   | U | Carraway, R. E. (Peptides (New York, NY, United States) 14(1), 37-45, 1993)               |
|   | V | Qi, Jie (Shengwu Huaxue Zazhi 13(5), 576-579, 1997)                                       |
|   | W |   |
|   | X |   |

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

JUN 15 2005

**EXHIBIT A**

3 of 5

**Notice of References Cited**

Application/Control No.

09/600,432

Applicant(s)/Patent Under  
Reexamination  
MCCARTHY ET AL.

Examiner

David Lukton

Art Unit

1653

Page 2 of 2

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| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name              | Classification |
|---|---|--|-----------------|-------------------|----------------|
| * | A | US-5,744,515                                     | 04-1998         | Clapper, David L. | 523/113        |
| * | B | US-5,840,691                                     | 11-1998         | Furcht et al.     | 514/12         |
| * | C | US-5,846,536                                     | 12-1998         | Bissell et al.    | 424/158.1      |
| * | D | US-5,853,744                                     | 12-1998         | Mooradian et al.  | 424/422        |
|   | E | US-  |                 |                   |                |
|   | F | US-  |                 |                   |                |
|   | G | US-  |                 |                   |                |
|   | H | US-  |                 |                   |                |
|   | I | US-  |                 |                   |                |
|   | J | US-  |                 |                   |                |
|   | K | US-  |                 |                   |                |
|   | L | US-  |                 |                   |                |
|   | M | US-  |                 |                   |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
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**NON-PATENT DOCUMENTS**

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|---|
|   | U |   |
|   | V |   |
|   | W |   |
|   | X |   |

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



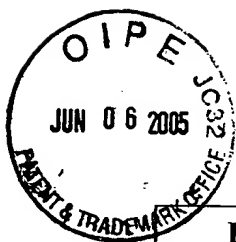


EXHIBIT A  
4 of 5

OMB No. 0651-0011  
Page 1 of 2

INFORMATION  
DISCLOSURE  
STATEMENT

AUG 06 2003

Atty. Docket No.: 110.0113 0101

Serial No.: 09/600,432

Confirmation No. 3387

Applicant(s): James B. McCarthy et al.

Filing Date: 2 October 2000

Group: 1653

Int'l Filing Date: 21 January 1999

U.S. PATENT DOCUMENTS

| Examiner Initial | Copy Enclosed | Document Number | Date     | Name             | Class | SubClass | Filing Date If Appropriate |
|------------------|---------------|-----------------|----------|------------------|-------|----------|----------------------------|
| X                | ✓             | 4,839,464       | 06/13/89 | McCarthy et al.  |       |          |                            |
| X                | ✓             | 4,938,949       | 07/03/90 | Borch et al.     |       |          |                            |
| X                | ✓             | 5,019,646       | 05/28/91 | Furcht et al.    |       |          |                            |
| X                | ✓             | 5,147,797       | 09/15/92 | McCarthy et al.  |       |          |                            |
| X                | ✓             | 5,171,271       | 12/15/92 | Furcht et al.    |       |          |                            |
| X                | ✓             | 5,278,063       | 01/11/94 | Hubbell et al.   |       |          |                            |
| X                | ✓             | 5,294,551       | 03/15/94 | Furcht et al.    |       |          |                            |
| X                | ✓             | 5,330,911       | 07/19/94 | Hubbell et al.   |       |          |                            |
| X                | ✓             | 5,380,668       | 01/10/95 | Herron           |       |          |                            |
| X                | ✓             | 5,545,620       | 08/13/96 | Wahl et al.      |       |          |                            |
| X                | ✓             | 5,591,719       | 01/07/97 | Furcht et al.    |       |          |                            |
| X                | ✓             | 5,595,887       | 01/21/97 | Coolidge et al.  |       |          |                            |
| X                | ✓             | 5,710,123       | 01/20/98 | Heavner et al.   |       |          |                            |
| X                | ✓             | 5,744,515       | 04/28/98 | Clapper          |       |          |                            |
| X                | ✓             | 5,840,691       | 11/24/98 | Furcht et al.    |       |          |                            |
| X                | ✓             | 5,846,536       | 12/08/98 | Bissell et al.   |       |          |                            |
| X                | ✓             | 5,853,744       | 12/29/98 | Mooradian et al. |       |          |                            |

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FOREIGN PATENT DOCUMENTS

|    |   | Document Number | Date     | Country                              | Class | SubClass | Translation |    |
|----|---|-----------------|----------|--------------------------------------|-------|----------|-------------|----|
|    |   |                 |          |                                      |       |          | Yes         | No |
| DL | ✓ | WO 97/23451     | 07/03/97 | PCT (with English language abstract) |       |          |             | X  |
| DL | ✓ | WO 98/00395     | 01/08/98 | PCT (with English language abstract) |       |          |             | X  |
| DL | ✓ | WO 99/37669     | 07/29/99 | PCT                                  |       |          |             |    |
| DL | ✓ | WO 00/56350     | 09/28/00 | PCT                                  |       |          |             |    |

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

EXAMINER

David Lukton

Date Considered

10-23-03



\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820 Patent and Trademark Office, U.S. Department of Commerce  
(Also form PTO-1449)

JUN 15 2005

A circular stamp from the Office of Intellectual Property (OIP). The text "OIP" is at the top, "JCS2" is on the right, and "PATENT &amp; TRADEMARK OFFICE" is at the bottom. The date "JUN 06 2005" is in the center.

Page 2 of 2

|  |   |   |
|--|---|---|
| <b>INFORMATION<br/>DISCLOSURE<br/>STATEMENT</b><br> | Atty. Docket No.: 110.0113 0101   | Serial No.: 09/600,432  |
|  |   | Confirmation # 3387   |
|  | Applicant(s): James B. McCarthy et al.  |   |
|  | <b>Filing Date:</b> 2 October 2000<br><b>Int'l Filing Date:</b> 21 January 1999 | <b>Group:</b> 1653<br> |

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AUG 17 2003

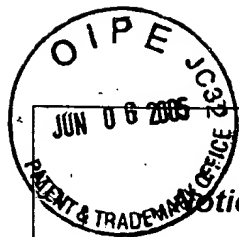
TECH CENTER 1600/2900

[illegible]

|   |  |
|---|--|
| <b>EXAMINER</b> <i>David Lathan</i>   | <b>Date Considered</b> <i>10/23/03</i> |
| <i>* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</i> |  |

Based on Form PTO-FB-A820 Patent and Trademark Office, U.S. Department of Commerce  
(Also form PTO-1449)

JUN 15 2005

**EXHIBIT B**

1 of 1

**Notice of References Cited**

|                                       |   |             |
|---------------------------------------|---|-------------|
| Application/Control No.<br>09/600,432 | Applicant(s)/Patent Under<br>Reexamination<br>MCCARTHY ET AL. |             |
| Examiner<br>David Lukton              | Art Unit<br>1653  | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

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|---|---|--|-----------------|----------------|----------------|
|   | A | US-4,923,963                                     | 05-1990         | Stewart et al. | 530/314        |
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|   | C | US-  |                 |                |                |
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|   | J | US-  |                 |                |                |
|   | K | US-  |                 |                |                |
|   | L | US-  |                 |                |                |
|   | M | US-  |                 |                |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name  | Classification |
|---|---|--|-----------------|---------|-------|----------------|
|   | N | 97/34617   | 09-1997         | WO      | Kubo  |                |
|   | O | 97/30070   | 08-1997         | WO      | Black |                |
|   | P |  |                 |         |       |                |
|   | Q |  |                 |         |       |                |
|   | R |  |                 |         |       |                |
|   | S |  |                 |         |       |                |
|   | T |  |                 |         |       |                |

**NON-PATENT DOCUMENTS**

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|---|
|   | U |   |
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|   | W |   |
|   | X |   |

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